

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

AZURITY PHARMACEUTICALS, INC.,)	
)	
Plaintiff,)	Civil Action No. 21-12870 (MAS) (DEA)
)	
v.)	
)	CONTAINS CONFIDENTIAL
)	EXHIBITS FILED UNDER SEAL
BIONPHARMA INC.,)	PURSUANT TO L. CIV. R. 5.3(c) AND
)	SUBJECT TO L. PAT. R. 2.2
Defendant)	

DECLARATION OF ROSHAN P. SHRESTHA, PH.D.

Roshan P. Shrestha, Ph.D., of full age, hereby declares as follows:

1. I am an attorney licensed to practice in Illinois and am a member of the firm Taft Stettinius & Hollister LLP, counsel to Defendant Bionpharma Inc. In such capacity, I am fully familiar with the facts contained herein.

2. I submit this Declaration in support of defendant Bionpharma's opposition to plaintiff Azurity's motion for order to show cause with temporary restraints, preliminary injunction, and other emergent relief.

3. Attached hereto as Exhibit A is a true and correct copy of FDA's Approval letter regarding enalapril oral formulation dated August 10, 2021.

4. Attached hereto as Exhibit B is a true and correct copy of Azurity's PI Mot. sealed Reply Br. from *Silvergate Pharmaceuticals, Inc. v. Bionpharma Inc.*, C.A. Nos. 18-1962 ECF No. 253 (D. Del.).

5. Attached hereto as Exhibit C is a true and correct copy of Azurity's Post-Trial Sealed Answering Br from *Silvergate Pharmaceuticals, Inc. v. Bionpharma Inc.*, C.A. Nos. 18-1962 ECF No. 218 (D. Del.).

6. Attached hereto as Exhibit D is a true and correct copy of Azurity's Citizen Petition dated April 3, 2017.

7. Attached hereto as Exhibit E is a true and correct copy of Epaned® Kit Prescribing Information (September 2014).

8. Attached hereto as Exhibit F is a true and correct copy of Shefali Luthra, *The dilemma of kid-friendly pharmaceuticals: Safety comes at a steep price*, WASHINGTON POST (Apr. 21, 2017).

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: August 26, 2021



Roshan P. Shrestha, Ph.D.